



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,937	03/26/2004	Kentaro Hayashi	740165-373	6422
22204	7590	10/09/2007		
NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			EXAMINER NGUYEN, CHI Q	
			ART UNIT 3635	PAPER NUMBER
			MAIL DATE 10/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/809,937

Applicant(s)

HAYASHI ET AL.

Examiner

Chi Q. Nguyen

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/9/2006, 1/3/2006, 8/6/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3635

DETAILED ACTION

This Office action is in response to applicant's patent application filed on 3/26/2004.

Information Disclosure Statement

The information disclosure statements (IDS) submitted on 8/6/2004, 1/3/2006, and 8/9/2006 are being considered by the examiner.

Claim Objections

Claims 1, and 18 are objected to because of the following informalities: claim 1, line 3, claim 18, line 4, respectively, a citation "therinside" should be read --there inside-- . Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 8-12, and 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,817,100 to Mori et al.

Claims 1, and 18:

Mori discloses a wooden member fabrication method comprising the steps of: providing a wooden member original 42/44 with a long form and including a hole there inside (see

Art Unit: 3635

Fig. 3) which extends in a length direction, the wooden member including a cross-section perpendicular to the length direction which is substantially a rectangle of which corner portions have been chamfered (wherein 42 points to); and compression-deforming the wooden member original in directions toward a center of the cross-section, for making an outer periphery of the wooden member original an arc surface.

Claim 2:

Wherein the wooden member original includes thicknesses in the cross-section, which are constrained to a predetermined range.

Claims 3, and 19:

Wherein the step of providing the wooden member original comprises the step of chamfering the corner portions of the cross-section for constraining thicknesses of the wooden member original to a predetermined range.

Claims 4, and 20:

Wherein the wooden member original is structured by two segments 44/46 which are divided by a plane along the length direction, a channel (wherein 56 points to) being formed at the plane of division of each segment, which channel extends in the length direction, for forming the hole.

Claim 5:

Wherein a core is disposed in the hole (see Fig. 3).

Claim 8:

Wherein the wooden member original includes a shape, which is curved in the length direction (see Fig. 1).

Art Unit: 3635

Claim 9:

Wherein the wooden member original is to be used for covering a steering wheel of a vehicle (see Fig. 1).

Claim 10:

Wherein the thicknesses are defined by dimensions of thickness of the wooden member original along straight lines from a substantial center of the cross-section toward any location at the outer periphery of the cross-section.

Claim 11:

Mori discloses a wooden member fabrication method comprising the steps of: providing a wooden member original with a long form and including a substantially rectangular cross-section; dividing the wooden member original into two segments 42/44 by a plane which passes along a length direction through a substantial center of the cross-section; forming, at a divided face of each of the two segments, a channel (wherein 56 points to) which extends along the length direction; chamfering corner portions (no labeled but wherein 42 and 44 point to) of the wooden member original along the length direction for constraining thicknesses of the wooden member original to within a predetermined range; and pressing and joining the two segments such that the divided faces are matched up (see Fig. 3).

Claim 12:

Further comprising the step of, before the step of pressing the two segments 42/44, disposing a core (wherein 56 points to) in the channel of one of the segments.

Claim 15:

Wherein the wooden member original includes a curve in the length direction.

Claim 16:

Wherein the wooden member is to be used for covering a steering wheel of a vehicle (Fig. 1).

Claim 17:

Wherein the thicknesses are defined by dimensions of thickness of the wooden member original along straight lines from a substantial center of the cross-section toward any location at the outer periphery of the cross-section.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-7, and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,817,100 to Mori et al.

Mori discloses the basic structures for a wooden component as stated but does not expressly disclose wherein the cross-section, angles at portions which are chamfered are at least 120° and at most 150°, and a thickness dimension of a largest portion is at most 1.85 times a thickness dimension of a smallest portion. However, this feature would have been a matter of obvious design choice to one of ordinary skill in the art at the time the invention was made to have a specific range for the chamfered angle and

Art Unit: 3635

thickness for desirable uses. Furthermore, applicant has not disclosed the criticality of this feature.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chi Q. Nguyen whose telephone number is (571) 272-6847. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at (571) 272-6777.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197.

CQN

9/24/2007

/JEANETTE CHAPMAN/
PRIMARY EXAMINER
ART UNIT 3635